



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 03 2016

REPLY TO THE ATTENTION OF

WC-15J

CERTIFIED MAIL 7099 3400 0000 9584 2479
RETURN RECEIPT REQUESTED

Mr. Patrick Garinger, President
Momence Packing Company
334 West North Street
Momence, Illinois 60954

Re: Information Request Issued Pursuant to Section 308(a) of the Clean Water Act
Momence Packing Company
334 West North Street

Dear Mr. Garinger:

Pursuant to the authority provided by Section 308 of the Clean Water Act (CWA), 33 U.S.C. Section 1318, it is hereby requested that you furnish the U.S. EPA with information pertaining to the above referenced facility.

Please submit the information requested in the accompanying document with the certification statement required by the 308 in Section IV. Paragraph 2.

If you have any questions regarding this matter, please contact Sangsook Choi of my staff at (312) 353-1869 or by email at choi.sangsook@epa.gov or legal counsel Eric Olson at (312) 886-6829 or by email at olson.eric@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrick F. Kuefler", is written over a horizontal line.

Patrick F. Kuefler, Chief
Water Enforcement and Compliance Assurance Branch

cc: Mr. Eric Shoup, Operational Manager, Momence Packing Company
Mr. Roger Callaway, IEPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

Momence Packing Co.
334 West North Street
Momence, IL 60954

) Docket No. V-W-16-308-10
)
)
) Proceeding under Section 308(a) of
) the Clean Water Act, as amended,
) 33 U.S.C. § 1318(a)
)

INFORMATION REQUEST

I. STATUTORY AUTHORITY

The U.S. Environmental Protection Agency (EPA) is issuing this Information Request to Momence Packing Co. (you) pursuant to the authority vested in the Administrator of EPA by Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a). The Administrator has delegated this authority to the Regional Administrator of EPA, Region 5, who has re-delegated this authority to the Director of the Water Division, EPA Region 5.

II. INSTRUCTIONS

1. You must respond to this Information Request within 30 calendar days of its receipt by you. Submission instructions are in Section IV of this Information Request.
2. You must respond separately to each of the requests. Where a "yes" or "no" answer is requested, you may provide additional information, if desired. Precede each answer with the number of the request to which it corresponds. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the request to which it corresponds.
3. If you do not have documents responsive to a particular request, state in your written response that you do not have responsive documents.
4. You must keep the reports and all records reviewed or generated in the course of responding to this Information Request until EPA informs you in writing that you are no longer required to keep the reports and records, or for three years, whichever is sooner.

III. REQUESTS

1. Does Momence Packing conduct any testing of wastewater before sending it offsite to its Aqua Pretreatment System? If so provide records of that testing between June 1, 2011 and April 30, 2016.

2. During a June 25, 2014 Inspection of the facility by EPA, facility staff indicated that if wastewater exiting the Aqua Pretreatment System has the potential to cause a violation of the National Pollutant Discharge Elimination System (NPDES) permit held by the Momence publicly owned treatment works (POTW), the wastewater is rerouted back to the headworks of the Momence POTW.
 - a. State how often the facility's wastewater is rerouted back to the headworks of the Momence POTW, and identify each occurrence of rerouting between June 1, 2011 and the date of this information request.
 - b. For each occurrence identified in subparagraph (a), above, describe in detail: the time, date and duration of the reroute; what caused the reroute; how the reroute was completed, including personnel and equipment involved; and any notifications made as a result of the reroute, to facility management or city, county, state or federal regulators.
 - c. Describe the process by which the determination to reroute is made, including who makes the determination and upon what criteria the determination is made.
 - d. Provide all sampling results which were used to determine that wastewater would be rerouted.
3. Describe who owns and who operates the Aqua Pretreatment System. Include any agreements associated with operation of the system, for example between Momence Packing and a contractor or Momence Packing and the POTW.
4. Describe the operation and maintenance of the Aqua Pretreatment System. Include any written operating and maintenance procedures documenting or describing such operation and maintenance, as well as sludge disposal handling practices and sludge quantities generated quarterly. Attach copies of sludge manifests from June 1, 2011 to the present.
5. Describe blood collection at the facility. Include any written blood collection management procedures at the facility and any records of blood collection and removal from the facility, including blood volumes.
6. During the June 25, 2014 inspection of the facility, inspectors noted a thick sludge blanket accumulated in the dissolved air flotation (DAF) units. State whether the DAF units have been cleaned between the date of the inspection and the date of this information request, and if so, indicate the dates the DAF units were cleaned. Describe operation and maintenance (O&M) requirements for the DAF units, including cleaning specifications and frequencies, and provide any documentation available of O&M requirements and that cleaning has been performed. Provide a recent photo of the DAFs and describe their current condition.

IV. SUBMITTALS

1. Please submit your response to this Information Request within 30 days of your receipt of the Information Request to:

Water Enforcement and Compliance Assurance Branch (WC-15J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604
Attention: Sangsook Choi

2. You must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that this response and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system, or those person(s) directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

3. If you find at any time after submitting information to EPA that any portion of the submittal is false or incorrect, you must notify EPA immediately. Knowing submittal of false information to EPA in response to this Information Request may subject you to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.

4. You may not withhold information because you claim it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Information Request, as provided in 40 C.F.R. § 2.302(a)(2). The regulations provide that a person may assert a business confidentiality claim covering part or all of the information furnished to EPA when that person submits the information. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). Effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications is not entitled to confidential treatment. 40 C.F.R. § 122.7. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If you do not assert a claim of business confidentiality when you submit the information, EPA may make the information available to the public without further notice.


5. This Information Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

6. EPA may use the information submitted in response to this Information Request in an administrative, civil or criminal action.

7. Neither the issuance of this Information Request by EPA nor your compliance with this Information Request relieves you of liability for any penalty, fine, remedy or sanction authorized to be imposed pursuant to Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g), including but not limited to those related to any violations addressed by this Information Request. EPA specifically reserves the right to seek any of the remedies specified in Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g).

8. There can be significant civil or criminal penalties for failing to adequately respond to requests for information issued under the Section 308(a) of the CWA, 33 U.S.C. § 1318(a).

10. Please contact Sangsook Choi of my staff by telephone at (312)353-1869 or via email at Choi.Sangsook@epa.gov, if you have any questions about this Information Request.



Patrick F. Kuefler
Chief, Water Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5

6/2/16
Date